

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1, 2, and 7-26 are currently pending. Claims 1, 18, 21, and 24 are independent. Claims 1, 12, 14, 18, 21, and 24-26 and are hereby amended. No new matter has been introduced. Support for this amendment is provided throughout the Specification as originally filed.

Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. CLAIM OBJECTIONS

Claims 3 and 4 were rejected for informalities.

Claims 3 and 4 have been canceled making moot this rejection.

III. REJECTIONS UNDER 35 U.S.C. §101

Claims 24-26 were rejected as allegedly directed to non-statutory subject matter.

Claims 24-26 have been amended to overcome the rejection. Support is found in the specification at Publ. App. pars. [0174]-[0175].

IV. REJECTIONS UNDER 35 U.S.C. §§102 AND 103

Claims 1-2, 4-7, 9-13, and 16-26 were rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent Application Publication No. 2002/0184310 of Traversat et al. (hereinafter, merely “Traversat”);

Claims 3, and 14-15 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Traversat in view of U.S. Patent No. 6,487,600 to Lynch; and

Claim 8 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Traversat and Lynch in view of U.S. Patent No. 7,240,093 to Danieli et al. (hereinafter, merely “Danieli”

Applicants respectfully traverse these rejections.

Independent claim 1 recites, *inter alia*:

“a main peer-to-peer relay network . . .

...

... a first sub-network of the main peer-to-peer relay network

...

wherein a message addressed from a peer in the first peer-to-peer relay network to a peer in the main peer-to-peer relay network before the first sub-network is established is relayed to all peers in the main peer-to-peer relay network, and

...

wherein each peer independently maintains a list of available networks and a list of peers in each network.” (emphasis added)

As understood by Applicants, Traversat describes, in relevant part, Traversat sub-networks of a main P2P network. Each peer group defines a common set of services available to members of that peer group. Members of a peer group are configured to share a network service or content with other members of that peer group only, so that a peer group may define a limited domain of availability for network services or content.

Claim 1 recites, “a message addressed from a peer in the first peer-to-peer relay network to a peer in the main peer-to-peer relay network before the first sub-network is established is relayed to all peers in the main peer-to-peer relay network, and wherein each peer independently maintains a list of available networks and a list of peers in each network” in order to further distinguish the present application over the Traversat reference.

First, while Traversat describes a joining peer querying existing peers to join the existing network, there is no disclosure in Traversat that each peer maintains its own list of networks and members of those networks.

“Because all the control messages can be broadcast through the main grid, every peer can independently maintain a list of available grids and a list of active peers in each grid. In one implementation, the peers do not use a centralized server.” Publ. App. par. [0121].

“When the data set is updated on one peer, the information is sent to a group of other peers and relayed throughout the grid so each peer will have an updated data set. The relay grid allows connected peers with limited network bandwidth to exchange data among themselves, without going through a central server (for data distribution). This network can be used to exchange game data, other game related information, media files, streaming audio, or streaming video.” “Publ. App. par. [0177].

Second, Traversat has no description related to, before the first sub-network is established, a message from a peer in the first P2P network to a peer in the main P2P network is relayed to ALL main P2P peers. As described in the as-filed specification of the present application:

“For example, in an online environment, all the peers in the environment are connected to a single main grid. The main grid is for general announcements and general services. Peers create, join, and leave additional smaller grids to access online services such as chat rooms or games. Peers can use the main grid to communicate before a smaller grid

has been established, such as when a new peer wants to join a grid (rather than using a server).” Publ App. par. [0121]

Lynch and Danieli do not add the elements missing from Traversat.

Claim 1 is believed patentable over Traversat, Lynch, and Danieli because those references taken alone or in combination do not teach, suggest, or disclose each and every element recited in the claim.

For reasons similar or somewhat similar to those described above with regard to independent claim 1, independent claims 18, 24 and 26 are also believed to be patentable.

V. DEPENDENT CLAIMS

The other claims are dependent from one of the claims discussed above and are therefore believed patentable for at least the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

Claims 1-26 are in condition for allowance. In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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